

Objections to the Bill for regulating Elections, with Answers to them.

The Objections are, That the Bill is *Unjust, Useless, Impracticable.*

First, *Unjust.*

Obj. 1. **T**HAT it alters the Constitution, by circumscribing and lessening the Numbers of People now capable of being elected.

Ans. 1. It is an Alteration for the better. Our Constitution is so much altered of it self from what it was at first, that no body will think a mending of it (in order to bring it nearer its Institution) can be called *Unjust*. England was never, till within this last 200 Years, acquainted with Foreign Trade, or much with Manufactures: And Experience shewing us that all Taxes terminate on Land, 'tis but fit that the Landed-men who pay by far the greatest Part, should be principally represented, Land being a fixed, and not a fleeting Property like Money. The Ballance of Land is or ought to be the Ballance of Power in all well-regulated Governments, and we know it has always been so in England.

2. It is not such an Alteration as leaves that Part of the Legislative Power which resides in a House of Commons, upon too narrow a Bottom. Considering how many Persons may be at present computed as qualified by 200 *l.* per Ann. in Possession or Reversion, or by being worth 5000 *l.* there is no Body who will judge the choice of the Peoples Representatives to lie within a narrower Compass than twenty thousand; and shortly it will grow wider: For such as covet to serve in Parliament by purchasing Lands to qualify themselves, will daily increase the Number, and occasion a Subdivision of the great Estates into more Freeholders Hands, and this will raise the Price of Lands. Now every body knows that the Excellency of the English Constitution, above its Neighbours, does in a great Measure consist in the more equal distribution of the Property of Lands among its Inhabitants; which has given us that noble and mighty Body (no where else known) of a lower Gentry and Yeomanry; the principal Guardians of our Liberties, and the Strength as well as Ornament of our Constitution. Now this Bill will encrease the Numbers of these, and consequently both secure and mend our Constitution.

3. It is an Alteration which is not without Precedent as to the Nature of the Thing. It has been found both necessary and convenient in former Times to restrain the Numbers and alter the Qualifications of Electors and Elected, according to the Times and Exigences; and this to avoid the Government's running into the very Dregs and Lee of the People. So when antiently all had a Right of voting for a Knight of a Shire, 'twas thought fit to restrain it to Freeholders of better Substance (in proportion to those Times) than one of 10 or 12 *l.* a Year at present. And so in the Burroughs and many of the Corporations, by their own By-Laws (tho they have less Force than an Act of Parliament) the Number and Qualifications of Electors are ascertain'd; and those generally to Persons of a fix'd Property: either Proprietors of the Burgage Tenures, or at least such as had given Hostages of their Faithfulness to the Interest of the Burrough, by having their Families Dependence, Substance, &c. in some measure adherent to it: People of fleeting or no Substance, having never been thought proper to serve for either County or Burrough, or fit to elect. Nay, none by our Law can serve as a Jury-man, but who has a Freehold. And that Great Power of Attainder lately exerted, shews how much the Trust, as to Life and Death, repos'd in a Jury-man, is greater in One that acts in a Legislative Capacity: who yet 'tis pretended) need not be qualified by any Property, Stake or Freehold at all!

Obj. 2. That it takes away a great Part of the Liberty of the Subject, who at present have Power to chuse whom they please.

Ans. 1. There is scarce any Law made which does not in some measure circumscribe the Liberties of the People or the Prerogative; so that this is as good an Argument against any Law almost, as against this.

2. To take away the Occasion of the common Peoples doing a Mischief to themselves, is very fallly call'd a Robbing them of their Liberties. Now to leave them a Liberty of chusing all proper Representatives, and only tie them from chusing such as would undo them, is no greater a Wrong than if I set a Bar before a Window to hinder a Child from throwing himself out of it. And this has no otherwise to do with the Peoples Liberties, than the barring up of that Gap which must be the loss to them of those Liberties if it be still left thus wide.

Obj. 3. That it is contrary to the first Constitution, which design'd proper Representatives for Cities and Burroughs in the way of Trade, as for Counties by Landed-men.

Ans. 1. This is in a great measure answered in those Answers made to the first Objection: But we have long since receded from that first Constitution which oblig'd the Burroughs to chuse Resiants.

2. The Qualification of 5,000 *l.* in the Bill sufficiently provides for all trading Towns; and there never will be wanting a sufficient Number of such Members to inform the House in Points of Trade; tho we generally find them Un sincere and Partial.

Obj. 4. That it prejudices such as have all their Stock in Trade, unless they qualify themselves by purchasing some Lands.

Ans. 1. The Clause capacitating such as can swear themselves worth 5,000 *l.* is an Answer to this Objection.

2. But what great Mischief is done to any Man worth 20,000 *l.* or 30,000 *l.* if he purchase so much Land as shall qualify him to serve in Parliament? 'Tis always ready Money when he pleases to sell it again.

Obj. 5. That all Estates in Trustees, called equitable Estates, are excluded by this Bill.

Ans. 1. 'Tis not the Intention of the Law that they should be so; and 'tis a Moral Certainty the Law can never be construed so; tho 'tis hard to make any Law wherein the Chicanes of the Lawyers cannot find a Flaw.

2. But this or any other Fault may be mended by an Explanatory Clause in any other Act, and is no Reason why a good Law should be condemned for an Omission or Imperfection, which may so easily be remedied.

Secondly, That the Bill is Useless.

Obj. 1. That it does no good, because it keeps not indigent Persons out of the Parliament-House, nor secures the Elections to Men of Substance.

Ans. 1. If it does not keep all indigent People out, but that some will creep thro the Act, who have Mortgaged Estates, and are in Debt, yet it keeps out a great many; for the Intention of the Bill being so plain, few

few that have not a real Substance will presume to be Candidates, or be encouraged by the Electors so that the Bill does a great deal of good, tho not all that could be wished.

Obj. 2. *That it is not fit to make an Alteration in the Constitution without good Grounds, and there is no more reason for suspecting that meaner Persons shall be chosen for the future than has been in time past; so that 'tis time enough to think of a Remedy when we feel the Disease.*

Ans. 1. It will be too late then: and the Reason is plain; for the Expences of Elections being taken away by an Act pass'd last Sessions, the Burroughs will certainly choose such Persons as dwell among them, and have an Influence over them, either through Fear or Favour, since the great Motive which made them choose Gentlemen for their Representatives (*viz.* the Gain by their Expences at Elections) is now quite taken away: And this present Parliament, by making that Act for regulating Expences, by giving such large Taxes, and reforming the Coin, has put so great Difficulties upon the People, and so anger'd them, that they openly threaten already to choose Representatives of another Stamp next Parliament; so that if this Bill does not pass now, there seems to be an End of an English Parliament, and of English Liberties for ever; for the next will be composed, for the most part, of the Officers that quarter in the Towns, of the Excise-men, Custom-house Officers, and others of that Sort, Attorneys, Town-Clerks, Recorders, in short, of any other Civil or Military Officer who resides among them, or who at a distance has Influence upon them by his Office: And the best that can be expected is the Tradesmen themselves.

2. The Lords who meddle not in Money-Bills, are principally concern'd to take care who they are that dispose of their Estates.

Obj. 3. *That Persons in Possession of mortgaged Estates, even to their full Value, are not disqualified by this Bill to serve in Parliament.*

Ans. 1. 'Twere to be wish'd they were disqualified by this Bill; and that is, what may be redress'd in another Bill: nothing is perfect at the beginning, as may be proved by the many Faults in our Coin-Bills, notwithstanding the Learning and Diligence of those that drew them.

2. But a Person of such a Mortgaged Estate is a fitter Representative than one who has no Title to any Land: He has a Prospect of redeeming it: he preserves a kind of Natural Love for a Paternal Seat and Inheritance; and is not so detached from the true Interest of his Country, as one of a fleeting Fortune, who can remit it all in one Bill of Exchange to *Amsterdam, Hamburgh or Venice*; or as an Officer Civil or Military, who depends for his Subsistence upon another Power.

Obj. 4. *Father and Son are both qualified by this Bill to serve for the same Estate of 200 l. per annum, the one having a Title in Possession, the other in Reversion.*

Ans. 1. This is rather a Reason for the Bill in the Sense of the Objectors: and 'tis not fair to bring such an Argument against it, since the Latitude is the greater for the Peoples Choice; but where both the Father and Son have an Interest in Land (which is a fix'd Interest) there arises less danger from such than from others of a different kind of Substance.

Thirdly, That 'tis Impracticable.

Obj. 1. *Sheriffs and other Officers must enquire into the Qualifications of the Candidates by examining into Deeds and Writings; which Writings (when seen) may be defeated by other private and dormant Writings, and such Officers can never come to know the true Value of Estates; so that they will either be liable easily to a Penalty, or will have a great Latitude of acting partially, and returning whom they please.*

Ans. 'Tis very unlikely that these Disputes can often arise: for in Counties the Electors will take care to choose such Representatives as are worth at least double what the Bill allows, and no Person who is but barely or doubtfully qualified, will presume to be a Candidate. In Burroughs and Corporations, the Substance of most Men who live in, or near them is known: and they will rather choose such as they are certain to be worth above 200 l. than run the Risque of Electing an unqualified Person.

Obj. 2. *The Committees of Elections will have an endless Work upon a new Parliament, to determine the Disputes which may arise upon this Bill.*

Ans. On the contrary 'tis presumed that the Committees of Elections will be troubled with few Complaints of that nature, since few unqualified Persons will presume to be Candidates, or (if they should) would be chosen by the Electors; so that the enquiring into the Value of Estates, or into Deeds and Writings, will seldom or never be necessary: and these Objections do rather demonstrate the Acuteness and Nicety of such as frame them, than seem to have any real Weight.

Obj. 3. *Men of Estates and Fortunes are liable to Corruption as well as the Poorer.*

Ans. They may be so, and we find by sad Experience they have been so; but it costs more Pains and Money to corrupt such, than it will to corrupt those who are excluded the Parliament by this Bill; so that if we cannot quite avoid the Mischief of Corruption, 'tis an Advantage to have such Representatives as are least easily corrupted.

Obj. 4. *But the Burroughs and Corporations have petition'd against the Bill.*

Ans. What Stress is to be laid upon Petitions, and in what manner some People are apt to judge for themselves (if it be their own and not other Peoples Judgments they here make use of) may be known by what was done lately, in this way of Petitioning, upon the Matter of the Coin: where the satisfying of their Petitions would have been of ruin to the Petitioners, and to a whole Nation. When it is consider'd what the greatest part of those Places are from whence these Petitions come, how they are generally influenced, and of what Nature Petitions and Addresses in themselves are; there will be very little regard to this, as to a thing extraordinary: it being no hard thing, upon Solicitation, to procure Petitions in the same manner upon any Bill, for or against. But of whatsoever Note or Consideration some of these Corporations may be; when it is considered what a Body of the People of England, and how great a part both as to Number, Property and Interest (no less than all those from the first Rank of Estates to the Freeholders of 40 Shillings) are all concern'd in, and engaged in Interest for this Bill; it may be justly wonder'd at, that at any time, but at this time more especially, when the dependance on them is so great; others should be encouraged to shew so much Zeal about so peculiar and odd an Interest; when those who have so reasonable and sound an Interest, and have most reason to speak, are silent; but must in this manner come to see more and more what the Importance of such a Bill as this is to them, by the remarkable Opposition they see made to it.

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